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Attorneys for Complainant

**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the First Amended Accusation  
Against:

MARY L. TRESLER, P.T.A.  
1452 Love Way  
Auburn, CA 95603

Physical Therapist Assistant License No. AT 2054

Respondent.

Case No. 1D 2000 62582

OAH No.

**STIPULATED REVOCATION  
OF LICENSE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties in  
this proceeding that the following matters are true:

**PARTIES**

1. Steven K. Hartzell (Complainant) is the Executive Officer of the  
Physical Therapy Board of California. He brought this action solely in his official capacity  
and is represented in this matter by Bill Lockyer, Attorney General of the State of California,  
by Daniel J. Turner, Deputy Attorney General.

2. Mary L. Tresler (Respondent) is represented in this proceeding by  
attorney James F. Geary, Esq., whose address is Hunter Richey DiBenedetto & Eisenbeis,  
LLP, 520 Capitol Mall, Suite 400, Sacramento, CA 95814.

1                   3.       On or about August 3, 1989, the Physical Therapy Board of California  
2 issued Physical Therapist Assistant License No. AT 2054 to Mary L. Tresler. The License  
3 was in full force and effect at all times relevant to the charges brought in First Amended  
4 Accusation No. 1D 2000 62582 and will expire on April 30, 2005, unless renewed.

5                                   JURISDICTION

6                   4.       First Amended Accusation No. 1D 2000 62582 was filed before the  
7 Physical Therapy Board of California (Board), Department of Consumer Affairs, and is  
8 currently pending against Respondent. The First Amended Accusation and all other  
9 statutorily required documents were properly served on Respondent on August 13, 2004.  
10 Respondent timely filed her Notice of Defense contesting the First Amended Accusation. A  
11 copy of First Amended Accusation No. 1D 2000 62582 is attached as Exhibit A and  
12 incorporated herein by reference.

13                                   ADVISEMENT AND WAIVERS

14                   5.       Respondent has carefully read, fully discussed with counsel, and  
15 understands the charges and allegations in First Amended Accusation No. 1D 2000 62582.  
16 Respondent also has carefully read, fully discussed with counsel, and understands the effects  
17 of this Stipulated Revocation of License and Order.

18                   6.       Respondent is fully aware of her legal rights in this matter, including  
19 the right to a hearing on the charges and allegations in the First Amended Accusation; the  
20 right to be represented by counsel, at her own expense; the right to confront and cross-  
21 examine the witnesses against her; the right to present evidence and to testify on her own  
22 behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the  
23 production of documents; the right to reconsideration and court review of an adverse  
24 decision; and all other rights accorded by the California Administrative Procedure Act and  
25 other applicable laws.

26                   7.       Respondent voluntarily, knowingly, and intelligently waives and gives  
27 up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation  
3 in the First, Third, Fifth, Seventh, and Ninth Cause For Discipline in the First Amended  
4 Accusation No. 1D 2000 62582, and that she violated Business and Professions Code  
5 sections 2630 and 2660 (i) (Unlawful Practice of Physical Therapy) and agrees that cause  
6 exists for discipline and hereby agrees to the revocation of her Physical Therapist Assistant  
7 License No. AT 2054.

8 9. Respondent understands that by signing this stipulation she enables  
9 the Board to issue an order revoking her Physical Therapist Assistant License without further  
10 process.

11 RESERVATION

12 10. The admissions made by Respondent herein are only for the purposes  
13 of this proceeding, or any other proceedings in which the Physical Therapy Board of  
14 California or other professional licensing agency is involved, and shall not be admissible in  
15 any other criminal or civil proceeding.

16 CONTINGENCY

17 11. This stipulation shall be subject to approval by the Physical Therapy  
18 Board of California. Respondent understands and agrees that counsel for Complainant and  
19 the staff of the Physical Therapy Board of California may communicate directly with the  
20 Board regarding this stipulation and settlement, without notice to or participation by  
21 Respondent or her counsel. By signing this stipulation, Respondent understands and agrees  
22 that she may not withdraw her agreement or seek to rescind the stipulation prior to the time  
23 the Board considers and acts upon it. If the Board fails to adopt this stipulation as its  
24 Decision and Order, the Stipulated Revocation of License and Order shall be of no force or  
25 effect, except for this paragraph, it shall be inadmissible in any legal action between the  
26 parties, and the Board shall not be disqualified from further action by having considered this  
27 matter.

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12. The parties understand and agree that facsimile copies of this Stipulated Revocation of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Physical Therapist Assistant License No. AT 2054, issued to Respondent Mary L. Tresler is revoked by the Physical Therapy Board of California.

1. The revocation of Respondent's Physical Therapist Assistant License by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a physical therapist assistant in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board both her Physical Therapist Assistant License Certificate and wall and pocket license certificate on or before the effective date of the Decision and Order.

4. Respondent fully understands and agrees that if she ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in First Amended Accusation No. 1D 2000 62582 shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing

1 agency in the State of California, all of the charges and allegations contained in First  
2 Amended Accusation, No. 1D 2000 62582 shall be deemed to be true, correct, and admitted  
3 by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to  
4 deny or restrict licensure.

5  
6 ACCEPTANCE

7 I have carefully read the above Stipulated Revocation of License and Order  
8 and have fully discussed it with my attorney, James F. Geary, Esq. I understand the  
9 stipulation and the effect it will have on my Physical Therapist Assistant License. I enter  
10 into this Stipulated Revocation of License and Order voluntarily, knowingly, and  
11 intelligently, and agree to be bound by the Decision and Order of the Physical Therapy  
12 Board of California.

13 DATED: September 17, 2004.

14  
15 Original Signed By:  
16 MARY L. TRESLER  
17 Respondent  
18

19 I have read and fully discussed with Respondent Mary L. Tresler the terms  
20 and conditions and other matters contained in this Stipulated Revocation of License and  
21 Order. I approve its form and content.

22 DATED: September 17, 2004.

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24 Original Signed By:  
25 JAMES F. GEARY, ESQ.  
26 Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Revocation of License and Order is hereby respectfully submitted for consideration by the Physical Therapy Board of California of the Department of Consumer Affairs.

DATED: October 14, 2004.

BILL LOCKYER, Attorney General  
of the State of California

Original Signed By:  
DANIEL J. TURNER  
Deputy Attorney General

Attorneys for Complainant

**Exhibit A**

**First Amended Accusation No. 1D 2000 62582**

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**DECISION AND ORDER**

The attached Stipulated Revocation of License and Order is hereby adopted  
by the Physical Therapy Board of California, Department of Consumer Affairs, as its  
Decision in this matter.

This Decision shall become effective on December 16, 2004.

It is so ORDERED November 16, 2004.

Original Signed By: Donald A. Chu, PhD, PT, President  
FOR THE PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS